

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRIAN BEAR,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

USDC Case No. 2:15-cv-10856
Hon.

WCCC Case No. 15-001700-NF
Hon. Annette J. Berry

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STATE FARM'S NOTICE OF REMOVAL

The Defendant, State Farm Mutual Automobile Company ("State Farm"),

through its attorneys, Patrick, Johnson & Mott, P.C., removes the above action from the Wayne County Circuit Court to this Court, pursuant to 28 U.S.C. § 1446, based upon the following grounds:

1. The above action was filed on February 10, 2015 in the Circuit Court for the County of Wayne, State of Michigan [Case No.15-001700-NF] and is now pending in that Court. Process, including a summons and complaint and a first set of discovery requests, were served upon State Farm's registered agent on or about February 13, 2015. Copies of all process and pleadings served upon State Farm's registered agent are attached as (**Exhibit "A"**).

2. State Farm is now, and was at the time of the commencement of this action, a corporation organized and existing under the laws of the State of Illinois, having its principal place of business located in the City of Bloomington, State of Illinois. State Farm is, therefore, a citizen and resident of the State of Illinois, and is not a resident, citizen or corporation of the State of Michigan.

3. The Plaintiff is now, and was at the time of the incident giving rise to his Complaint, a citizen of Wayne County, Michigan, as evidenced in Paragraph 1 of his Complaint (**Exhibit "A"**).

4. A controversy exists between State Farm and the Plaintiff, and the amount of controversy in this action is in excess of \$100,000.00, exclusive of interest

and costs, as evidenced by the Affidavit of State Farm claim representative Erin Anderson, attached as **Exhibit “B.”**

5. Pursuant to 28 U.S.C. § 1332, this Court has original jurisdiction over the above action, due to the amount in controversy and the diversity of citizenship of the parties.

6. State Farm is, therefore, entitled to remove the above action from the Oakland County Circuit Court to this Court, pursuant to 28 U.S.C. § 1446(a).

Respectfully submitted,

PATRICK, JOHNSON & MOTT, P.C.

s/Cary R. Berlin
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Date: March 6, 2015

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PROOF OF SERVICE

The undersigned certifies that on March 6, 2015, copies of Defendant's Notice of Removal and this Proof of Service were served upon both Attorneys for the

Plaintiff via first class mail, by depositing a copy thereof in the U.S. Mail, in postage prepaid envelopes, and upon the Wayne County Circuit Court Clerk via e-filing. I declare under penalty of perjury that the above statement is true to the best of my knowledge, information and belief.

s/Cary R. Berlin

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